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1981

Reg. No. KL/TV(N)/12

# KERALA GAZETTE

## EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 [No. 536

## GOVERNMENT OF KERALA

**Local Administration & Social Welfare (G) Department**

## NOTIFICATION

G.O.(Ms.) No. 120/81/LA&SWD. *Dated, Trivandrum, 8th July 1981.*

**S. R. O. No. 803/81.**—Whereas, the Government of Kerala have decided that the interest of Planning and Development in the area specified in the schedule below will be best served by entrusting it to a special Authority;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of section 53 A of the Town Planning Act, 1108 (IV of 1108), read with section 53B thereof, the Government of Kerala hereby constitute a special Authority to be called "the Quilon Development Authority" to carry out the provisions of the said Act in the said area. The said Authority shall consist of 15 members including the Chairman as specified below:

1. Chairman—District Collector, Quilon (*Ex-officio*)
2. Chief Engineer, Buildings and Roads [or in his absence at particular meetings Executive Engineer, (Buildings and Roads), Quilon].
3. Chief Engineer, Public Health Engineering Department (or in his absence at particular meetings an officer of the Public Health Engineering Department nominated by him)
4. A representative of the Kerala State Housing Board

5. Chief Town Planner (or in his absence at particular meetings the District Town Planning Officer)
6. Director of Municipal Administration.
7. Chairman of the Quilon Municipal Council
8. A representative of the Kerala State Electricity Board.
9. Secretary of the Authority.
10. Three representatives of the Panchayats specified in the Schedule.
11. Three representatives of the Quilon Municipality.

2. The non-official members of the Authority shall be treated as first class officers for the purpose of T. A. and D. A.

This notification shall come into force on and with effect from 8-7-1981.

THE SCHEDULE

The Area comprised in:

1. Quilon Municipality
2. Kilikollur Panchayat
3. Thekkumbhagom "
4. Sakthikulangara "
5. Thrikkaruva "
6. Thrikkadavur "
7. Perinad "
8. Kottarakkara "
9. Thrikovilvattom "
10. Vadakkevila "
11. Eravipuram "
12. Mayyanad "

By order of the Governor,

CHINNAMMA PAILY,

*Deputy Secretary.*

**Explanatory Note**

(This does not form part of the notification but is intended to indicate its general purport).

The Government have decided that the interests of the planning and development in the Quilon Region will be best served by entrusting it to a Development Authority. Hence, Government proposes to constitute the Quilon Development Authority for the purpose. This notification is intended to achieve the above purpose.

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# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 [No. 538

GOVERNMENT OF KERALA

**Local Administration and Social Welfare (G) Department**

NOTIFICATION

G. O. (MS) No. 122/81/LA & SWD. *Dated, Trivandrum, 8th July 1981.*

**S. R. O. No. 805/81.**—WHEREAS, the Government of Kerala have decided that the interest of Planning and Development in the area specified in the schedule below will be best served by entrusting it to a special Authority.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 53A of the Town Planning Act, 1108 (IV of 1108), read with section 53B thereof, the Government of Kerala hereby constitute a special Authority to be called "the Trichur Development Authority" to carry out the provisions of the said Act in the said Area. The said Authority shall consist of 15 members including the Chairman as specified below:

1. Chairman—District Collector, Trichur (Ex-Officio).
2. Chief Engineer, Buildings and Roads. [or in his absence at particular meetings Executive Engineer, (Buildings and roads), Trichur].
3. Chief Engineer, Public Health Engineering Department (or in his absence at particular meetings an officer of the Public Health Engineering Department nominated by him).

4. A representative of the Kerala State Housing Board.
5. Chief Town Planner (or in his absence at particular meetings the District Town Planning Officer).
6. Director of Municipal Administration.
7. Chairman of the Trichur Municipal Council.
8. A representative of the Kerala State Electricity Board.
9. Secretary of the Authority.
10. Three representatives of the Panchayats specified in the schedule.
11. Three representatives of the Trichur Municipality.

2. The non-official members of the Authority shall be treated as first class officers for the purpose of T. A. and D. A.

This notification shall come into force on and with effect from 8-7-1981.

THE SCHEDULE

The Area comprised in:

1. Trichur Municipality.
2. Ayyanthole Panchayat.
3. Koorkencherry Panchayat.
4. Ollur Panchayat.
5. Ollukkara Panchayat.
6. Nadathara Panchayat.
7. Vilvattom Panchayat.

By order of the Governor,

CHINNAMMA PAILY,

*Deputy Secretary.*

**Explanatory Note**

(This does not form part of the notification but is intended to indicate its general purport).

The Government have decided that the interests of the Planning and Development in the Trichur Region will be best served by entrusting it to a Development Authority. Hence. Government proposes to constitute the Trichur Development Authority for the purpose. This notification is intended to achieve the above purpose.

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1981

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# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 [No. 545

## SECRETARIAT OF THE KERALA LEGISLATURE

### NOTIFICATION

No. 6395/LA4A/81. *Dated, Trivandrum, 8th July, 1981.*

The Agricultural Income-Tax (Amendment) Bill, 1981 together with the Statement of Objects and Reasons, the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
*Secretary,*
*Legislative Assembly.*

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS. TRIVANDRUM, 1981.

33/2437/MC.

**Sixth Kerala Legislative Assembly**

**Bill No. 81**

# THE AGRICULTURAL INCOME-TAX (AMENDMENT) BILL, 1981

*A*

*BILL*

*further to amend the Agricultural Income-tax Act*, 1950.

*Preamble.*—WHEREAS it is expedient further to amend the Agricultural Income-tax Act, 1950, for the purposes hereinafter appearing;

BE it enacted in the Thirty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Agricultural Income-tax (Amendment) Act, 1981.

(2) Section 4 shall come into force on the 1st day of April, 1982 and the remaining provisions of this Act shall be deemed to have come into force on the 1st day of April, 1981.

2. *Amendment of section* 4.—(1) In section 4 of the Agricultural Income-tax Act, 1950 (XXII of 1950) (hereinafter referred to as the principal Act),—

(a) in sub-section (1),—

(i) after clause (a), the following clause shall be inserted, namely:—

"(aa) any agricultural income derived by cultivation of paddy, tapioca, plantain ginger, ragi, pulses, sesamum, vegetables, sweet potato and tubers;";

(ii) for clauses (b) and (c), the following clauses and *Explanation* shall be substituted, namely:—

"(b) any agricultural income derived from property held under trust wholly for charitable or religious purposes, to the extent to which such income is applied to such purposes in the State; and, where any such income is accumulated or set apart for application to such purposes in the State, to the extent to which the income so accumulated or set apart is not in excess of twenty-five per cent of the agricultural income from such property;

(c) any agricultural income derived from property held under trust in part only for such purposes, to the extent to which such income is applied to such purposes in the State; and, where any such income is finally

set apart for application to such purposes in the State, to the extent to which the income so set apart is not in excess of twenty-five per cent of the agricultural income from such property.

*Explanation.*—For the purposes of clauses (b) and (c), if, in the previous year, the agricultural income applied to charitable or religious purposes in the State falls short of seventy-five per cent of the agricultural income derived during that year from property held under trust, or, as the case may be, held under trust in part, by any amount—

(i) for the reason that the whole or any part of the agricultural income has not been received during that year, or

(ii) for any other reason,

then—

(a) in the case referred to in clause (i), so much of the agricultural income applied to such purposes in the State during the previous year in which the agricultural income is received or during the previous year immediately following as does not exceed the said amount, and

(b) in the case referred to in clause (ii), so much of the agricultural income applied to such purposes in the State during the previous year immediately following the previous year in which the agricultural income was derived as does not exceed the said amount,

may, at the option of the person in receipt of the agricultural income [such option to be exercised in writing before the expiry of the time allowed under sub-section (1) or sub-section (2) of section 17, whether fixed originally or on extension, for furnishing the return of agricultural income] be deemed to be agricultural income applied to such purposes during the previous year in which the agricultural income was derived; and the agricultural income so deemed to have been applied shall not be taken into account in calculating the amount of agricultural income applied to such purposes, in the case referred to in clause (i), during the previous year in which the agricultural income is received or during the previous year immediately following, as the case may be, and in the case referred to in clause (ii), during the previous year immediately following the previous year in which the agricultural income was derived.";

(b) after sub-section (1), the following sub-sections shall be inserted, namely:—

"(1A) Where any agricultural income in respect of which an option is exercised under the *Explanation* to sub-section (1) is not applied to charitable or religious purposes in the State during the period referred to in clause (a) or, as the case may be, clause (b) of the said *Explanation*, then such income shall be deemed to be the income of the person in receipt thereof—

(i) in the case referred to in clause (i) of the said *Explanation*, of the previous year immediately following the previous year in which the income was received; or

(b) in the case referred to in clause (ii) of the said *Explanation*, of the previous year immediately following the previous year in which the income was derived.

(1B) Where seventy-five per cent of the agricultural income referred to in clause (b) or clause (c) of sub-section (1) read with the *Explanation* to that sub-section is not applied, or is not deemed to have been applied, to charitable or religious purposes in the State during the previous year but is accumulated or set apart, either in whole or in part, for application to such purposes in the State, such income so accumulated or set apart shall not be included in the total agricultural income of the previous year of the person in receipt of the income, provided the following conditions are complied with, namely:—

(a) such person specifies, by notice in writing given to the Agricultural Income-tax Officer in the prescribed manner, the purpose for which the agricultural income is being accumulated or set apart and the period for which the agricultural income is to be accumulated or set apart, which shall in no case exceed ten years;

(b) the money so accumulated or set apart is,—

(i) invested in any Government security as defined in clause (2) of section 2 of the Public Debt Act, 1944 (Central Act 18 of 1944), or in any other security which may be approved by the State Government in this behalf, or

(ii) deposited in any account with the Post Office Savings Bank [including deposits made under the Post Office (Time Deposits) Rules, 1970] or a scheduled bank or a co-operative society engaged in carrying on the business of banking (including a co-operative land mortgage bank), or

(iii) deposited in an account with the Kerala Financial Corporation established under the State Financial Corporations Act, 1951 (Central Act LXIII of 1951).

*Explanation.*—For the purposes of sub-clause (ii), "scheduled bank" means the State Bank of India constituted under the State Bank of India Act, 1955, a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959, a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, or any other bank, being a bank included in the Second Schedule to the Reserve Bank of India Act, 1934.

(1C) Any agricultural income referred to in sub-section (1B) which—

(a) is applied to purposes other than charitable or religious purposes as aforesaid or ceases to be accumulated or set apart for application thereto, or

(b) ceases to remain invested in any security referred to in sub-clause (i) or deposited in any account referred to in sub-clause (ii) or sub-clause (iii) or clause (b) of that sub-section; or

(c) is not utilised for the purpose for which it is so accumulated or set apart during the period referred to in sub-clause (a) of that sub-section or in the year immediately following the expiry thereof, shall bedeemed to be the agricultural income of such person of the previous year in which it is so applied or ceases to be so accumulated or set apart or ceases to remain so invested or deposited, or, as the case may be, of the previous year immediately following the expiry of the period aforesaid.

(1D) Notwithstanding anything contained in sub-section (1C), where due to circumstances beyond the control of the person in receipt of the agricultural income, any such income invested or deposited in accordance with the provisions of clause (b) of sub-section (1B) cannot be applied for the purpose for which it was accumulated or set apart, the Agricultural Income-tax Officer may, on an application made to him in this behalf, allow such person to apply such income for such other charitable or religious purpose in the State as is specified in the application by such person and as is in conformity with the objects of the trust; and thereupon the provisions of sub-section (1C), shall apply as if the purpose specified by such person in the application under this sub-section were a purpose specified in the notice given to the Agricultural Income-tax Officer under clause (a) of sub-section (1B).".

3. *Insertion of new section 61A.*—After section 61 of the principal Act, the following section shall be inserted, namely:—

"61A. *Rounding off of agricultural income-tax, etc.*—(1) The amount of total agricultural income computed in accordance with the foregoing provisions of this Act shall be rounded off to the nearest multiple of ten rupees and for this purpose any part of a rupee consisting of paise shall be ignored and thereafter if such amount is not a multiple of ten, then, if the last figure in that amount is five or more, the amount shall be increased to the next higher amount which is a multiple of ten and if the last figure is less than five, the amount shall be reduced to the next lower amount which is a multiple of ten; and the amount so rounded off shall be deemed to be the total agricultural income of the assessee for the purposes of this Act.

(2) The amount of tax (including tax payable under section 17A) interest, penalty, fine or any other sum payable, and the amount of refund due, under the provisions of this Act shall be rounded off to the nearest rupee and, for this purpose, where such amount contains a part of a rupee consisting of paise, then, if such part is fifty paise or more, it shall be increased to one rupee and if such part is less than fifty paise, it shall be ignored.".

4. *Amendment of Schedule.*—In the Schedule to the principal Act, for paragraph (1), the following paragraph shall be substituted, namely:—

"(1) in the case of a person other than a company,—

| | |
|---|---|
| where the total agricultural income does not exceed Rs. 15,000 | NIL |
| where the total agricultural income exceeds Rs. 15,000 but does not exceed Rs. 25,000 | 30 per cent of the amount by which the total agricultural income exceeds Rs. 15,000 |
| where the total agricultural income exceeds Rs. 25,000 but does not exceed Rs. 30,000 | Rs. 3,000 plus 40 per cent of the amount by which the total agricultural income exceeds Rs. 25,000 |
| where the total agricultural income exceeds Rs. 30,000 but does not exceed Rs. 50,000 | Rs. 5,000 plus 50 per cent of the amount by which the total agricultural income exceeds Rs. 30,000 |
| where the total agricultural income exceeds Rs. 50,000 but does not exceed Rs. 70,000 | Rs. 15,000 plus 60 per cent of the amount by which the total agricultural income exceeds Rs. 50,000 |
| where the total agricultural income exceeds Rs. 70,000 | Rs. 27,000 plus 70 per cent of the amount by which the total agricultural income exceeds Rs. 70,000". |

## STATEMENT OF OBJECTS AND REASONS

The Minister of Finance in his Budget Speech on the 20th March, 1981, has announced, *inter-alia*, that—

(i) it is proposed to exempt annual agricultural income which does not exceed Rs. 15,000 from the levy of agricultural income tax for all persons other than companies;

(ii) those in the slab of Rs. 15,000–20,000 who would have had to pay Rs. 1,050 plus 18% of the excess over Rs. 15,000 and those in Rs. 15,000–25,000 slab who would have had to pay Rs. 1,950 plus 30% of the excess over Rs. 20,000 need henceforth pay only at a flat rate of 30% of the excess over Rs. 15,000 and slabs above Rs. 25,000 are proposed to be retained at the present levels;

(iii) as a measure of relieving the distress of cultivators of crops like paddy, tapioca, plantains, ginger and all catch crops, the income from these crops will be exempted from the purview of agricultural income tax;

(iv) the benefits similar to those available for non-agricultural income under the Income-tax Act, 1961, such as accumulation of 25% of the exempted income for future years, and the carry forward of deficits below 75% in the expenditure entitled to exemption, to subsequent years or their investments in Government securities without compromising the entitlements to exemption, will be made available to religious and charitable institutions in the matter of agricultural income tax.

2. The Bill seeks to give effect to the above proposals.

## FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

K. M. MANI

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## EXTRAORDINARY
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REPORT OF THE SUBJECT COMMITTEE

ON

THE KERALA MUNICIPAL CORPORATIONS (AMENDMENT) BILL, 1981

AND

THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

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33/2439/MC

# THE KERALA MUNICIPAL CORPORATIONS (AMENDMENT) BILL, 1981

(Report of the Subject Committee)

(1) Subject Committee IX—Local Administration and Co-operation to which the Kerala Municipal Corporations (Amendment) Bill, 1981 was referred, considered the Bill clause by clause and submits this its report with the Bill as amended by the Committee annexed thereto.

(2) The Kerala Municipal Corporations (Amendment) Bill, 1981 was published as a Gazette Extraordinary dated March 25, 1981.

The Bill was referred to the Committee on March 31, 1981.

(3) The Committee considered the Bill clause by clause at its sitting held on June 9, 1981.

(4) *Clause 3.*—The Committee is of the view that the upper financial limit of one lakh rupees prescribed in clause (a) of sub-section (2) of section 78 of the Kerala Municipal Corporations Act, 1961 should be enhanced to three lakhs rupees instead of two lakhs rupees as provided in the Bill. Necessary amendment for this purpose has been made to sub-clause (c).

R. S. Unni,
*Chairman,*
*Subject Committee IX,*
*Local Administration and Co-operation.*

# THE KERALA MUNICIPAL CORPORATIONS (AMENDMENT) BILL, 1981

*(As reported by the Subject Committee)*

(Words underlined indicate the changes made by the Committee)

*A*

*BILL*

*further to amend the Kerala Municipal Corporations Act, 1961.*

*Preamble.*—WHEREAS it is expedient further to amend the Kerala Municipal Corporations Act, 1961, for the purposes hereinafter appearing;

BE it enacted in the Thirty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Municipal Corporations (Amendment) Act, 1981.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Amendment of section 77.*—In section 77 of the Kerala Municipal Corporations Act, 1961 (30 of 1961) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the words "five thousand rupees", the words "ten thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "five thousand rupees" and "ten thousand rupees", the words "ten thousand rupees" and "fifty thousand rupees" shall respectively be substituted.

3. *Amendment of section 78.*—In section 78 of the principal Act,—

(a) in the marginal note, for the letters and figures "Rs. 10000", the letters and figures "Rs. 50000" shall be substituted;

(b) in sub-section (1), for the words "ten thousand rupees", the words "fifty thousand rupees" shall be substituted;

(c) in sub-section (2), in clause (a), for the words "one lakh", the words "three lakhs" shall be substituted.

4. *Amendment of section 79.*—In section 79 of the principal Act, in sub-section (2),—

(i) in clause (c), for the words "five thousand rupees" and "ten thousand rupees", the words "ten thousand rupees" and "fifty thousand rupees" shall respectively be substituted;

(ii) in clause (d), for the words "ten thousand rupees", the words "fifty thousand rupees" shall be substituted;

(iii) in clause (e), for the words "five thousand rupees", the words "ten thousand rupees" shall be substituted.

5. *Substitution of new section for section 84.*—For section 84 of the principal Act, the following section shall be substituted, namely:—

"84. *The health officer, engineer, etc.*—(1) The Government shall, after consulting the council, appoint a health officer, an engineer, a revenue officer, and a town planning officer and such other officers as they consider necessary, who shall be heads of departments working under the commissioner.

(2) The Government shall also appoint an accounts officer to function as a financial adviser to the commissioner and as an internal auditor.

(3) The salary and allowances attached to every appointment referred to in sub-sections (1) and (2) shall be fixed by the Government.

(4) The officers mentioned in sub-sections (1) and (2) shall be whole-time officers of the Corporation and shall not undertake any work unconnected with their respective offices without the sanction of the corporation and the Government.".

6. *Amendment of section 85.*—In section 85 of the principal Act,—

(a) for the words "The council may, subject to such rules as may be prescribed, appoint", the words "The Government may, after consulting the council, appoint" shall be substituted;

(b) the proviso shall be omitted.

7. *Substitution of new section for section 86.*—For section 86 of the principal Act, the following section shall be substituted, namely:—

"86. *Filling up of vacancies in office of health officer, engineer, etc.*—(1) If a vacancy occurs in any office mentioned in sections 84 and 85, the Government shall, after consulting the council, appoint a person to hold that post.

(2) The Government may transfer any officer appointed under section 84 or section 85 from a corporation and shall do so if such transfer is recommended by a resolution of the council passed at a special meeting called for the purpose and supported by the votes of the majority of the sanctioned strength of the council.".

8. *Omission of section 89.*—Section 89 of the principal Act shall be omitted.

9. *Amendment of section 103.*—In sub-section (1) of section 103 of the principal Act, in clause (e), for the words "sixty rupees", in both the places where they occur, the words "one hundred and twenty rupees" shall be substituted.

10. *Insertion of new sections 124A and 124B.*—After section 124 of the principal Act, the following sections shall be inserted, namely:—

"124A. *Numbering of vessels, vehicles and animals.*—(1) The commissioner may direct that a corporation number shall be affixed to every vessel or vehicle for which a licence has been granted under section 124 and that a token bearing a corporation number shall be kept by the owner of every animal for which a licence has been granted under that section:

Provided that no corporation number shall be required in the case of a vehicle to which a number has to be affixed under the provisions of the Kerala Hackney Carriage Act, 1963 (18 of 1963).

(2) All numbers affixed or tokens issued under this section shall be entered in a book to be kept for the purpose in the corporation office.

(3) The book referred to in sub-section (2) shall be open to inspection by any person who pays any tax to the corporation, at all reasonable times, without payment of any fee.

124B. *Seizure of vessels, vehicles and animals without corporation numbers.*—(1) If a corporation number is not affixed to a vessel or vehicle or a token bearing a corporation number is not obtained in respect of an animal, in pursuance of any direction under section 124A, the commissioner may at any time seize and detain such vessel, vehicle or animal:

Provided that no vehicle other than a bicycle or tricycle shall be seized or detained when actually employed in the conveyance of any passenger or goods.

(2) If the vessel, vehicle or animal seized is not claimed, and the tax due thereon paid, and a corporation number affixed or token obtained, as the case may be, within ten days from the date of seizure, the commissioner may direct that the vessel, vehicle or animal, as the case may be, shall be sold in public auction and the proceeds of the sale applied to the payment of—

(a) the tax, if any, due on the vessel, vehicle or animal sold;

(b) such penalty not exceeding the amount of the tax as the commissioner may direct; and

(c) the charges incurred in connection with the seizure, detention and sale.

(3) The balance of the sale proceeds, if any, shall be kept as a deposit for a period of one year from the date of sale and if not claimed within that period shall be credited to the municipal fund.

(4) If the owner of the vessel, vehicle or animal or other person entitled thereto claims the same within ten days from the date of seizure or at any time before the sale, it shall be returned to him on payment of—

(a) the tax due thereon;

(b) such penalty not exceeding the amount of the tax as the commissioner may direct, and

(c) the charges incurred in connection with the seizure and detention.".

11. *Amendment of section* 139.—To section 139 of the principal Act, the following proviso shall be added, namely:—

"Provided that the licence fees received by the corporation shall be credited to a separate account maintained for the purpose and shall be applied exclusively for services to be rendered to the licensees and for purposes connected therewith.".

12. *Amendment of section* 154.—In section 154 of the principal Act, after sub-section (1), the following sub-sections shall be inserted, namely:—

"(1A) It shall be competent for the Government to attach the municipal fund or any part thereof for the recovery of arrears of—

(a) any tax or surcharge on tax collected by the corporation on behalf of the Government; or

(b) charges or costs of supplies made or services rendered by the Government to the corporation; or

(c) any amount payable by the corporation to the Government under any order or agreement.

(1B) Notwithstanding anything contained in this Act or the rules made thereunder or in any other law for the time being in force, it shall be competent for the Government to set-off all or any part of the arrears referred to in sub-section (1A) against any sums found due by them to the corporation as property tax under section 101 in respect of any Government building located within the limits of the city:

Provided that before taking any action under sub-section (1A) or sub-section (1B), the corporation shall be given notice thereof in writing.".

13. *Amendment of section* 156.—In section 156 of the principal Act, in clause (b) of sub-section (2), for the words "fifty thousand rupees", the words "ten percent of the income of the corporation" shall be substituted.

14. *Amendment of section* 162.—In section 162 of the principal Act, in sub-section (1), for the words "not less than fifty thousand rupees", in both the places where they occur, the words "ten percent of the income of the corporation" shall be substituted.

15. *Amendment of section* 170.—In section 170 of the principal Act,—

(a) the proviso to sub-section (1) shall be omitted;

(b) in the Explanation, items (iii), (iv) and (vi) shall be omitted.

16. *Amendment of section* 196.—In section 196 of the principal Act, for the second proviso, the following provisos shall be substituted, namely:—

"Provided further that in cases of emergency, the commissioner may, with the approval of the Mayor, do any such work which in his opinion is necessary for the safety of the public, without giving notice to the owner or occupier:

Provided also that the commissioner shall, with the sanction of the standing committee, pay compensation to any person who sustains damage by the exercise of the power under this section."

17. *Insertion of new section* 263A.—After section 263 of the principal Act the following section shall be inserted, namely:—

"263A.—*Order of stoppage of buildings or works in certain cases.*—(1) Where the erection of any building or the execution of any work has been commenced or is being carried on (but has not been completed) without obtaining the permission of the commissioner or in contravention of any order passed by the standing committee or in breach of any provisions of this Act or any rule or bye-law made under this Act or any lawful direction or requisition given or made under this Act or such rules or bye-laws, the commissioner may, in addition to any other action that may be taken under this Act, by order, require the person at whose instance the building or the work has been commenced or is being carried on, to stop the same forthwith.

(2) If such order is not complied with forthwith, the commissioner may require any police officer to remove such person and all his assistants and workmen from the premises within such time as may be specified in the requisition and such police officer shall comply with the requisition accordingly.

(3) After the reqnisition under sub-section (2) has been complied with, the commissioner may, if he thinks fit, depute by a written order a police officer or an officer or other employee of the corporation to watch the premises in order to ensure that the erection of the building or the execution of the work is not continued.

(4) Where a police officer or an officer or other employee of the corporation has been depnted under sub-section (3) to watch the premises, the cost of such deputation shall be paid by the person at whose instance such erection or execution is being continued or to whom notice under sub-section (1) was given and shall be recoverable from such person as an arrear of tax under this Act.".

18. *Amendment of section* 338.—In section 338 of the principal Act, to sub-section (4), the following proviso shall be added, namely:—

"Provided that no licence shall be granted to open, form, construct or use any place for the disposal of the dead, if such place is within fifty metres from any human habitation.".

Secretariat of the
Kerala Legislature
July 7, 1981.

DR. R. PRASANNAN,
*Secretary.*

Government of Kerala
1981

Reg. No. KL/TV(N)/[illegible]

# KERALA GAZETTE

## EXTRAORDINARY

## PUBLISHED BY AUTHORITY

Vol. XXVI} Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 [No. 548

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PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1981.

33/2440/MC.

# THE KERALA MUNICIPALITIES (AMENDMENT) BILL, 1981.

## (Report of the Subject Committee)

(1) Subject Committee IX—Local Administration and Co-operation to which the Kerala Municipalities (Amendment) Bill, 1981 was referred, considered the Bill clause by clause and submits this its report with the Bill as amended by the Committee annexed thereto.

(2) The Kerala Municipalities (Amendment) Bill, 1981 was published as a Gazette Extraordinary dated March 25, 1981.

The Bill was referred to the Committee on March 31, 1981.

(3) The Commttee considered the Bill clause by clause at its sitting held on June 9, 1981.

(4) *Clause 2.*—The Committee is of the view that the upper financial limit of fifty thousand rupees prescribed in sub-section (3) of section 86 of the Kerala Municipalities Act, 1960, should be enhanced to "one lakh and fifty thousand rupees" instead of one lakh rupees as provided in the Bill. Necessary amendment for this purpose has been made to sub-clause (c).

Consequential amendment to sub-clause (d) has also been made.

R. S. UNNI,

*Chairman,*

*Subject Committee—IX*
*Local Administration and*
*Co-operation.*

# THE KERALA MUNICIPALITIES (AMENDMENT) BILL, 1981

*(As reported by the Subject Committee)*

(Words underlined indicate the changes made by the Committee)

*A*

*BILL*

*further to amend the Kerala Municipalities Act,* 1960.

*Preamble.*—WHEREAS it is expedient further to amend the Kerala Municipalities Act, 1960, for the purposes hereinafter appearing;

BE it enacted in the Thirty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Municipalities (Amendment) Act, 1981.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Amendment of section* 86.—In section 86 of the Kerala Municipalities Act, 1960 (14 of 1961) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the words "one thousand rupees", the words "two thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "one thousand rupees", and "ten thousand rupees", the words "two thousand rupees" and "twenty thousand rupees" shall respectively be substituted;

(c) in sub-section (3), for the words "ten thousand rupees" and "fifty thousand rupees", the words "twenty thousand rupees" and "one lakh and fifty thousand rupees" shall respectively be substituted.

(d) in sub-section (4), for the words "fifty thousand rupees", the words "one lakh and fifty thousand rupees" shall be substituted.

3. *Amendment of section* 88.—In sub-section (1) of section 88 of the principal Act, in clause (b) of the proviso, for the words "three

33/2440/MC.

hundred rupees", the words "five hundred rupees" shall be substituted.

4. *Amendment of section* 101.—In section 101 of the principal Act, in clause (i) of sub-section (5), for the words "sixty rupees", the words "one hundred and twenty rupees" shall be substituted.

5. *Omission of section* 114.—Section 114 of the principal Act shall be omitted.

6. *Amendment of section* 125.—In section 125 of the principal Act, in clause (b) of sub-section (1), for the words "four per cent", the words "five per cent" shall be substituted.

7. *Amendment of section* 135.—To section 135 of the principal Act, the following proviso shall be added, namely:—

"Provided that the licence fees received by the Municipality shall be credited to a separate account maintained for the purpose and shall be applied exclusively for services to be rendered to the licensees and for purposes connected therewith.".

8. *Insertion of new section 151A*.—In Part III of the Principal Act, after section 151 the following section shall be inserted, namely:—

"151A. *Attachment of Municipal fund for arrears of Government dues.*—(1) It shall be competent for the Government to attach the municipal fund or any part thereof for the recovery of arrears of—

(a) any tax or surcharge on tax collected by the municipality on behalf of the Government; or

(b) charges or costs of any supplies made or services rendered by the Government to the municipality; or

(c) any amount payable by the municipality to the Government under any order or agreement.

(2) Notwithstanding anything contained in this Act or the rules made thereunder or in any other law for the time being in force, it shall be competent for the Government to set-off all or any part of the arrears referred to in sub-section (1) against any sums found due by them to the municipality as property tax under section 99 in respect of any Government building located within the limits of the municipality:

Provided that before taking any action under sub-section (1) or sub-section (2), the municipality shall be given notice thereof in writing.".

9. *Amendment of section* 159.—In section 159 of the principal Act,—

(a) the proviso to sub-section (1) shall be omitted;

(b) in the Explanation, item (iii) shall be omitted.

10. *Amendment of section* 161.—In section 161 of the principal Act, clause (b) of sub-section (2) shall be omitted.

11. *Amendment of section* 179.—In section 179 of the principal Act, for the second proviso, the following provisos shall be substituted, namely:—

"Provided further that in cases of emergency, the commissioner may, with the approval of the chairman, do any such work which in his opinion is necessary for the safety of the public, without giving notice to the owner or occupier:

Provided also that the commissioner shall, with the sanction of the standing committee, pay compensation to any person who sustains damage by the exercise of the power under this section.".

12. *Amendment of section* 234.—In section 234 of the principal Act, after clause (vi), the following clause shall be inserted, namely:—

"(vii) that the municipal council has passed a resolution to acquire the site for a municipal purpose:

Provided that the approval of a site shall not be refused on the ground mentioned in this clause after the expiry of two years from the date of the resolution to acquire that site.".

13. *Amendment of section* 321.—In section 321 of the principal Act, to sub-section (3), the following proviso shall be added, namely:—

"Provided that no licence shall be granted to open, form, construct or use any place for the disposal of the dead, if such place is within fifty metres from any human habitation.".

14. *Amendment of section* 335.—Section 335 of the principal Act shall be renumbered as sub-section (1) of that section and, after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) The Commissioner may arrange for or direct the removal of any unattended patient found on any road or other public place or on the veranda of any shop to the nearest Government or municipal hospital or dispensary.".

Secretariat of the
Kerala Legislature,
July 7, 1981.

Dr. R. Prasannan,
*Secretary.*

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1981

Reg. No. KL/TV(N)/13

# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

**Vol. XXVI] Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 (Saka) [No. 534**

## NOTICE

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961 (ACT 21 OF 1962)

No. LA2-537/80.

*6th July* 1981.

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required to appear in person or by authorised agent on the date and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the lands and the amount and particulars of their claim to compensation for such interests in the lands and their objections, if any, to the measurements made under section 8 of the Act.

*Note*:—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons to make such claim, the amount to be awarded by the court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരളാ സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതു കാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെന്റ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു.

33/2418/81/S.

പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത ഏജന്റുമൂലമോ താഴെ പറയുന്ന തീയതിയിലും സ്ഥലത്തും ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങൾ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്റ്റ് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവു സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്നു കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും അവരോ അവരുടെ ഏജന്റുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റ്റേറ്റുമെന്റ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ചചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ച ചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പു പ്രകാരം കളക്ടർ വിധിച്ചു കൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

Date and place of appearance—On 16-7-1981 before the Special Tahsildar, L.A. (N.H.) No. III, Kovalam.

### PARTICULARS OF LANDS

ഡിസ്ട്രിക്റ്റ്—തിരുവനന്തപുരം.

താലൂക്ക്—തിരുവനന്തപുരം. വില്ലേജ്—പാൽക്കുളങ്ങര.

ബ്ലോക്ക്—I.

| ക്രമ നമ്പർ | സർവ്വെ നമ്പർ | എൽ.എ.സി. നമ്പർ | വിവരണം | വിസ്തീർണ്ണം | | |
|---|---|---|---|---|---|---|
| | | | | ഹെ. | ആർ | സ്ക്വയർ മീറ്റർ |
| (1) | (2) | (3) | (4) | (5) | | |
| 1 | 1636/4 | 169/81 | നിലം | 0 | 34 | 60 |
| 2 | 1636/13 | 170/81 | ,, | 0 | 10 | 40 |
| 3 | 1636/2 | 171/81 | ,, | 0 | 11 | 10 |
| 4 | 1636/12 | 172/81 | നിലം നികഴ്ത്തു പുരയിടം | 0 | 1 | 49 |
| 5 | 1617/2 | 173/81 | പുരയിടം | 0 | 1 | 31 |
| 6 | 1623/2 | 174/81 | നിലം | 0 | 11 | 38 |
| 7 | 1621/4 | 175/81 | നിലം നികഴ്ത്തു പുരയിടം | 0 | 2 | 06 |
| 8 | 1621/5 | 176/81 | നിലം | 0 | 29 | 75 |
| 9 | 1625/3 | 177/81 | നിലം നികഴ്ത്തു പുരയിടം | 0 | 0 | 61 |
| 10 | 1624/2 | 178/81 | നിലം | 0 | 22 | 61 |
| 11 | 1616/4 | 179/81 | പുരയിടം | 0 | 3 | 03 |
| 12 | 1616/3 | 180/81 | ,, | 0 | 0 | 90 |

| (1) | (2) | (3) | (4) | (5) | | |
|---|---|---|---|---|---|---|
| 13 | 1620/2 | 181/81 | നിലം | 0 | 16 | 59 |
| 14 | 1615/4 | 182/81 | പുരയിടം | 0 | 2 | 91 |
| 15 | 1615/5 | 183/81 | ,, | 0 | 2 | 75 |
| 16 | 1615/3 | 184/81 | ,, | 0 | 2 | 12 |
| 17 | 1615/6 | 185/81 | ,, | 0 | 6 | 59 |
| 18 | 1636/6 | 186/81 | ഭാഗികമായ നിലം | 0 | 0 | 90 |
| 19 | 1685/3 | 187/81 | നിലം | 0 | 2 | 30 |
| 20 | 1688/8 | 188/81 | നിലം നികഴ്ത്തു പുരയിടം | 0 | 1 | 90 |
| 21 | 1688/3 | 189/81 | നിലം | 0 | 1 | 01 |
| | | | ആകെ | 1 | 66 | 08 |

(Sd.)
*Special Tahsildar (L.A.),*
*N.H.No.III.*

Kovalam.

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# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

**Vol. XXVI] Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 (Saka) [No. 535**

## NOTICE

UNDER SECTION 9(5) OF THE KERALA LAND ACQUISITION ACT, 1961

(ACT 21 OF 1962)

No. R1/11/81. *2nd July 1981.*

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required to appear in person or by authorised agent on the date, time and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the lands and the amount and particulars of their claim to compensation for such interests in the lands and their objections, if any, to the measurements made under section 8 of the Act.

*Note*:— If the persons interested refuse to make a claim to compensation or omit, without sufficient reasons, to make such claim, the amount to be awarded by the court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതു കാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെൻറ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത ഏജൻറുമൂലമോ താഴെ പറയുന്ന തീയതിയിലും സ്ഥലത്തും സമയത്തും.

33/2419/81/J.

ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങൾ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്റ്റ് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവു സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്നു കാണിച്ചു കൊണ്ട് പ്രസ്താവന ചെയ്യുകയും, അവരോ അവരുടെ ഏജൻറുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റ്റേററുമെൻറ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ച ചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ചചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പുപ്രകാരം കളക്ടർ വിധിച്ചു കൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

Date, time and place of appearance—On 27-7-1981 at 11 a.m. before the Special Deputy Collector for (L. A.), Railways, Trivandrum at Village Office, Kollayil.

**Particulars of lands**

*District*—Trivandrum    *Taluk*—Neyyattinkara.

*Village*—Kollayil.

Description—(Wet converted Dry land)

| *Survey No.* | *Sq. m.* |
|---|---|
| 115/21-2 | 06 |
| 115/19-3 | 08 |
| 117/3-3 | 40 |
| 115/20-4 | 06 |
| 117/6-3 | 22 |
| 117/7-2 | 40 |

(Sd.)

*Special Deputy Collector for Land Acquisition, Railways.*

Trivandrum.

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TRIVANDRUM, 1981

Government of Kerala
1981

Reg. No. KL/TV(N)/12

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GOVERNMENT OF KERALA

**Local Administration and Social Welfare (G) Department**

NOTIFICATION

G. O. (MS) No. 121/81/LA&SWD. *Dated, Trivandrum, 8th July, 1981.*

**S. R. O. No. 804/81.**—WHEREAS, the Government of Kerala have decided that the interest of Planning and Development in the area specified in the schedule below will be best served by entrusting it to a special Authority;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 53A of the Town Planning Act, 1108 (IV of 1108), read with section 53B thereof, the Government of Kerala hereby constitute a Special Authority to be called "the Kottayam Development Authority" to carry out the provisions of the said Act in the said Area. The said Authority shall consist of 15 members including the Chairman as specified below:

1. Chairman—District Collector, Kottayam (Ex-Officio).
2. Chief Engineer, Buildings and Roads.
   [or in his absence at particular meetings Executive Engineer (Buildings and Roads), Kottayam].
3. Chief Engineer, Public Health Engineering Department (or in his absence at particular meetings an officer of the Public Health Engineering Department nominated by him).

4. A representative of the Kerala State Housing Board.
5. Chief Town Planner (or in his absence at particular meetings the District Town Planning Officer).
6. Director of Municipal Administration.
7. Chairman, Kottayam Municipal Council.
8. A representative of the Kerala State Electricity Board.
9. Secretary of the Authority.
10. Three representatives of the Panchayats specified in the schedule.
11. Three representatives of the Kottayam Municipality.

2. The non-official members of the Authority shall be treated as first class officers for the purpose of T. A. and D. A.

This notification shall come into force on and with effect from 8-7-1981.

THE SCHEDULE

The Area comprised in:

1. Kottayam Municipality.
2. Nattakom Panchayat.
3. Kumaranalloor Panchayat.
4. Vijayapuram Panchayat.
5. Thiruvarpu Panchayat.
6. Aimmanam Panchayat.
7. Arpookara Panchayat.
8. Athirampuzha Panchayat.

By order of the Governor,

CHIN AMMA PAILY,
*Deputy Secretary.*

**Explanatory Note**

(This does not form part of the notification but is intended to indicate its general purport).

The Government have decided that the interests of planning and development in the Kottayam Region will be best served by entrusting it to a Development Authority. Hence, Government proposes to constitute the Kottayam Development Authority for the purpose. This notification is intended to achieve the above purpose.

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1981

Reg. No. KL/TV(N)/12

# KERALA GAZETTE

## EXTRAORDINARY

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33/2438/MC.

# THE KERALA PANCHAYATS (AMENDMENT) BILL, 1980

(Report of the Subject Committee)

1. Subject Committee IX—Local Administration and Co-operation to which the Kerala Panchayats (Amendment) Bill, 1980 was referred, considered the Bill clause by clause and submits this its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Panchayats (Amendment) Bill, 1980 was published as a Gazette Extraordinary dated December 5, 1980. The Bill was introduced in the Assembly on December 12, 1980 and was referred to the Subject Committee on March 5, 1981.

3. The Committee considered the Bill clause by clause at its sitting held on March 23, 1981.

*Clauses* 2 & 3.

The Committee is of the view that chances of further appeals from the decision, declaration or determination of the District Judge should be avoided. The clauses have been modified accordingly.

R. S. UNNI,

*Chairman,*

*Subject Committee IX—*

*Local Administration & Co-operation.*

# THE KERALA PANCHAYATS (AMENDMENT) BILL, 1980

(As reported by the Subject Committee)

(Words underlined indicate the amendments suggested by the Committee)

*A*

*BILL*

*further to amend the Kerala Panchayats Act*, 1960.

*Preamble.*—WHEREAS it is expedient further to amend the Kerala Panchayats Act, 1960, for the purposes hereinafter appearing;

BE it enacted in the Thirty-second year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Panchayats (Amendment) Act, 1981.

2. *Amendment of Section* 22.—In section 22 of the Kerala Panchayats Act, 1960 (32 of 1960) (hereinafter referred to as the principal Act),—

(1) in sub-section (1),—

(a) the words "and such declaration shall be final" shall be omitted;

(b) in the second proviso, the words "and his decision shall be final" shall be omitted;

(2) in sub-section (4), the sentence "Such declaration shall be final" shall be omitted;

(3) after sub-section (7), the following sub-sections shall be inserted, namely:—

"(8) Any person aggrieved by a declaration or decision or determination made by the Munsiff under this section may, within thirty days from the date of such declaration, decision or determination prefer an appeal to the District Judge having jurisdiction to hear appeals against the decisions of that Munsiff.

(9) Subject to the provisions of this Act and to such rules as may be made in this behalf, the District Judge may dispose of the appeal in accordance with the procedure laid down in the Code of Civil Procedure, 1908 (Central Act 5 of 1908), for the hearing of appeals and the decision of the District Judge in the appeal shall be final".

3. *Amendment of Section* 24.—In section 24 of the principal Act,—

(1) in clause (d) of sub-section (1), the words "and such decision shall be final" shall be omitted;

(2) after sub-section (4), the following sub-sections shall be inserted, namely:—

"(5) Any person aggrieved by a decision of the Munsiff made under clause (d) of sub-section (1) may, within thirty days from the date of such decision, prefer an appeal to the District Judge having jurisdiction to hear appeals from the decisions of that Munsiff.

(6) Subject to the provisions of this Act and to such rules as may be made in this behalf, the District Judge may dispose of the appeal in accordance with the procedure laid down in the Code of Civil Procedure, 1908 (Central Act 5 of 1908), for the hearing of appeals and the decision of the District Judge in the appeal shall be final".

Secretariat of the Kerala Legislature,
Trivandrum,
July 7, 1981.

DR. R. PRASANNAN,
*Secretary*.

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# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

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## 1961-ലെ കേരള സർവ്വെയും അതിർത്തിയും സംബന്ധിച്ച ആക്ററിലെ 6-ാം വകുപ്പുപ്രകാരമുള്ള പരസ്യം

No. B2-978/80. 1981 ജൂൺ 30.

താഴെ പറയുന്ന താലൂക്കിൽ താഴെ പറയുന്ന വില്ലേജിൽ താഴെ പറയുന്ന സർവ്വെനമ്പരുകളിൽപ്പെടുന്ന ഭൂമികളുടെ സർവ്വെ നടത്തണമെന്ന് ഗവൺമെൻറ് നിർദ്ദേശിച്ചിരിക്കുകയാൽ താഴെ പറയുന്ന വില്ലേജിൽ സർവ്വെ പ്രവർത്തനങ്ങൾ വേഗം തന്നെ ആരംഭിക്കുന്നതാണെന്നും താഴെ പറയുന്ന വില്ലേജിലെ താഴെ പറയുന്ന സർവ്വെ നമ്പരുകൾ അതിർത്തി തിരിച്ച് സർവ്വെ ചെയ്യുന്നതാണെന്നും 1961-ലെ കേരള സർവ്വെയും അതിർത്തിയും സംബന്ധിച്ച ആക്ററിലെ 6(1)-ാം വകുപ്പു പ്രകാരം ഇതിനാൽ പരസ്യം ചെയ്യുന്നു. താഴെ പറയുന്ന ഭൂമികളുടെ ഉള്ളിലോ അഥവാ അവയോട് ചേർന്നോ സ്ഥിതി ചെയ്യുന്ന രജിസ്റ്റർ ചെയ്ത ഭൂമികളിൽ അവകാശമുണ്ടെന്ന് തേർച്ച ചെയ്യുന്ന ഏതൊരാളെയും നേരിട്ടോ ഏജൻറ് മുഖേനയോ സ്ഥലത്ത് ജോലി ചെയ്യുന്ന സർവ്വെയരുടെ അടുത്ത് ഹാജരാകുന്നതിനും അതിരുകൾ കാണിച്ച് കൊടുക്കുന്നതിനും അതോട് ബന്ധപ്പെട്ട വിവരങ്ങൾ നൽകുന്നതിനും വേണ്ടി അതാത് സമയം ആവശ്യപ്പെടുമ്പോൾ ഹാജരാകുന്നതിനും വേണ്ടി ഇതിനാൽ ക്ഷണിച്ചുകൊള്ളുന്നു.

പ്രസ്തുത ആക്ററിലെ 6(2) എന്ന വകുപ്പുപ്രകാരം ഈ പരസ്യം താഴെ പറയുന്ന ഭൂമികളിൽ അവകാശബന്ധമുള്ള ഏതൊരാൾക്കുമുള്ള സാധുവായ നോട്ടീസായി കണക്കാക്കപ്പെടുന്നതാണ്;

പ്രസ്തുത ആക്ടിലെ 6(3)-ാം വകുപ്പു പ്രകാരം രജിസ്റ്റർ ചെയ്ത എല്ലാ കൈവശക്കാരും :—

(എ) സർവ്വെ ചെയ്യുന്നതിനുവേണ്ടി നിർമ്മാർജ്ജനം ചെയ്യേണ്ട ആവശ്യമുണ്ടായേക്കാവുന്ന വല്ല മരങ്ങളോ കുററിക്കാടുകളോ, വേലികളോ നിൽക്കുന്ന വിളകളോ അഥവാ സാരവത്തായ മററു തടസ്സങ്ങളോ 15 ദിവസത്തിനകം മുറിച്ചു കളയുകയോ നീക്കം ചെയ്യുകയോ ചെയ്ത് അതിരുകളോ മററ് ലൈനുകളോ വെടിപ്പാക്കണമെന്നും;

(ബി) കൊടിപിടിക്കുന്നവരെയും ചെയിൻമാൻമാരെയും നിയോഗിച്ച് അതത് സമയം ആവശ്യമായേക്കാവുന്ന സമയത്തേക്കും കാലത്തേക്കും തൊഴിലാളികളെ ഏർപ്പെടുത്തണമെന്നും;

(സി) അനുയോജ്യമായ സർവ്വെ അടയാളങ്ങൾ നൽകണമെന്നും മററു പ്രകാരത്തിൽ പ്രസ്തുത ആക്ടോ അതുപ്രകാരമുണ്ടാക്കിയിട്ടുള്ള ചട്ടങ്ങളോ അനുസരിച്ച് ആവശ്യപ്പെട്ടേക്കാവുന്ന സഹായങ്ങൾ സർവ്വെക്ക് നൽകണമെന്നും ഇതിനാൽ ആവശ്യപ്പെടുന്നു.

മേൽ പറഞ്ഞ (എ) മുതൽ (സി) വരെയുള്ള ഖണ്ഡങ്ങൾ പ്രകാരമുള്ള ഈ അഭ്യർത്ഥനകൾ അനുസരിക്കുന്നതിൽ ആരെങ്കിലും വീഴ്ച വരുത്തുകയാണെങ്കിൽ ജോലി കൂലിപ്പണിക്കാരെക്കൊണ്ട് ചെയ്യിക്കുന്നതും ആയതിൻെറ ചെലവ് ആക്ററിലും അതുപ്രകാരമുണ്ടാക്കിയിട്ടുള്ള ചട്ടങ്ങളിലും വ്യവസ്ഥ ചെയ്തിട്ടുള്ളതുപോലെ വീഴ്ച വരുത്തിയിട്ടുള്ളവരിൽ നിന്നും വസൂലാക്കുന്നതുമാണ്.

ഭൂമിയുടെ വിശദ വിവരങ്ങൾ

District—Trichur | Taluk—Trichur

Village—Avanissery

*Survey No.*—9

(Sd.)
*Special Tahsildar,*
*Land Acquisition (Railways.)*

Trichur.

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# KERALA GAZETTE

## EXTRAORDINARY

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GOVERNMENT OF KERALA

**Public works (D) Department**

**DECLARATION**

No. 25563/D1/81/PWD. *Dated, Trivandrum 30th June 1981.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution the President has, in his notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to acquisition of lands for the purpose of the Union in this State ;

And whereas under subsection (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to the lands specified in the schedule below;

And whereas the Government are satisfied that the said lands have to be acquired for a public purpose;

The Government of Kerala hereby declares under section 6 of the Act that the lands specified in the schedule below and measuring 0.0291 hectare be the same a little more or less, are needed for a public purpose, to wit, Formation of a new road from Arthingal to Chellanam (Portion from Ottamassery to Andhakaranazhy) and under section 7 of the Act direct the Special Tahsildar (L.A.) N. H., Alleppey to take order for the acquisition of the lands. Further, under subsection (1) of section 19 of the Act, the Government directs that the Collector may take possession of the lands on the expiry of fifteen days from the date of publication of the notice mentioned in subsection (1) of section 9 of the Act.

A plan of the lands is kept in the office of the Special Tahsildar (LA) NH., Alleppey and may be inspected at any time during office hours.

33/2423/81/J.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവൃത്തികൾ തന്റെ 31-5-1963-ാം തീയതിയിലെ 2/4/63/ Judl. II നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ, ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി, ഭരമേൽപ്പിച്ചിരിക്കയാലും ;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തിര സ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും ;

പ്രസ്തുത ഭൂമി ഒരു പൊതുക്കാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും ;

കേരള ഗവൺമെന്റ്, താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.0291 ഹെക്റ്റർ വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് അത്ര തന്നെയോ അതിൽ അൽപ്പം കൂടുതലോ കുറവോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുക്കാര്യത്തിന് അതായത് അർത്തുങ്കൽ ചെല്ലാനം റോഡ് (ഒററമശ്ശേരി മുതൽ അന്ധകാരനഴി വരെയുള്ള ഭാഗം) നിർമ്മിക്കുന്നതിന് ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പു പ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സമ്പാദിക്കരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പുപ്രകാരം ആലപ്പുഴ നാഷണൽ ഹൈവേ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശിൽദാർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്ടർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നുംകൂടി ആക്ട് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ ആലപ്പുഴ നാഷണൽ ഹൈവേ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

*District*—Alleppey.

*Taluk*—Shertallai. *Village or Amsom and Desom*—Vayalar West.

(The extent given is approximate)

| *Serial No.* | *Survey No.* | *Description* | *Extent (Hectare)* |
|---|---|---|---|
| 1 | 426/10-4 | Dry | 0.0038 |
| 2 | 426/10-5 | ,, | 0.0003 |
| 3 | 426/14-5 | ,, | 0.0094 |
| 4 | 426/14-6 | ,, | 0.0156 |
| | | Total | 0.0291 |

By order of the Governor,

P. SOUMINI,

*Joint Secretary.*

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Reg. No. KL/TV(N)/[illegible]

# KERALA GAZETTE

## EXTRAORDINARY

## PUBLISHED BY AUTHORITY

**Vol. XXVI] Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 (Saka) [No. 544**

GOVERNMENT OF KERALA

**Transport, Fisheries and Ports (Transport-B) Department**

NOTIFICATION

No. 15531/TB2/81/T F & P. *Dated, Trivandrum, 30th June 1981.*

**S.R.O. No. 817/81.**—Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution of India, the President has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961, (21 of 1962), in relation to the acquisition of lands for the purpose of the Union in the State of Kerala;

And whereas, it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose, to wit for the doubling of rail track between Olavakkot and Shoranur Railway Stations as per Land Plan No. O.S. 29/79 (Block II).

Now, therefore; notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of subsection (1) of section 3 of the said Act.

Under sub-section (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the said Act shall not apply to this case.

GPT. 33/2428/81/J.

SCHEDULE

*District*—Palghat.

*Taluk*—Ottapalam. *Village*—Vaniamkulam II.

*Desom*—Chorottur.

(The extent given is approximate)

| *Sl. No.* | *Survey Nos.* *Old* | *Survey Nos.* *New* | *Classification* | *Extent in hectare* |
|---|---|---|---|---|
| 1. | 62A/1A | 62A/5 | O.D. | 0.0060 |
| 2. | 62A/1B | 62A/6 | ,, | 0.0040 |
| 3. | 62A/3 | 62A/7 | ,, | 0.0162 |
| 4. | 62A/4 | 62A/8 | ,, | 0.0162 |
| | | | Total | 0.0424 |

**Explanatory Note**

(This is not part of the notification but is intended to bring out the general purport.)

President of India has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the powers to acquire land for the use of Central Government in the State, and it appears to the State Government that the lands mentioned in the schedule above are needed for a public purpose, viz. for the doubling of rail track between Olavakkot and Shoranur Stations as per Land Plan No. O.S. 29/79 (Block II)

This Notification is intended for the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 817/81.—ഇൻഡ്യൻ ഭരണഘടനയിലെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, പ്രസിഡൻറ് 31-5-1963-ലെ 2/4/1963 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനംമൂലം കേരള സംസ്ഥാനത്ത് യൂണിയൻെറ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചു, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) പ്രകാരമുള്ള കേന്ദ്ര സർക്കാരിൻെറ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിന്, അതായത് ലെവക്കോടു റയിൽവേ സ്റ്റേഷനും ഷൊർണൂർ റെയിൽവേ സ്റ്റേഷനുമിടയ്ക്കുള്ള റയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിനു ഒ. എസ്. 29/79 (ബ്ലോക്കു II) ലാൻറ് പ്ലാൻ പ്രകാരം ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടായേക്കാൻ സാദ്ധ്യതയുണ്ടെന്നോ കേരള സർക്കാരിന് തോന്നുന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, ആയതിലേക്കുള്ള നോട്ടീസ് അതുമായി ബന്ധപ്പെട്ട എല്ലാപേർക്കും പ്രസ്തുത ആക്ററ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ പ്രകാരം ഇതിനാൽ നൽകുന്നു.

സംഗതിയുടെ ; അടിയന്തിരസ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്ററ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ഈ സംഗതിയിൽ ബാധകമാകുന്നതല്ലെന്ന് പ്രസ്തുത ആക്ററ് 19-ാം വകുപ്പു (4)-ാം ഉപവകുപ്പുപ്രകാരം സർക്കാർ നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

ജില്ല—പാലക്കാട്.

താലൂക്ക്—ഒറ്റപ്പാലം. വില്ലേജ്—വാണിയൻകുളം-II.

ദേശം—ചോറോട്ടൂർ.

(സുമാർ വിസ്തീർണ്ണമാണ് നൽകിയിട്ടുള്ളത്)

| ക്രമ നമ്പർ | സർവ്വേ നമ്പർ | | ഇനം | വിസ്തീർണ്ണം (ഹെക്ടർ) |
|---|---|---|---|---|
| | പഴയത് | പുതിയത് | | |
| 1. | 62എ/1എ | 62എ/5 | ഒ.ഡി. | 0.0060 |
| 2. | 62എ/1ബി | 62എ/6 | ,, | 0.0040 |
| 3. | 62എ/3 | 62എ/7 | ,, | 0.0162 |
| 4. | 62എ/4 | 62എ/8 | ,, | 0.0162 |
| | | | ആകെ | 0.0424 |

## വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുവാൻ ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

31-5-1963-ലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനംമൂലം ഇൻഡ്യൻ പ്രസിഡന്റ് ഈ സംസ്ഥാനത്തു കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം, കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുകയും മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് ലെവക്കോടു സ്റ്റേഷനും ഷൊർണ്ണൂർ സ്റ്റേഷനും ഇടയ്ക്കുള്ള റെയിൽപാത ഇരട്ടിപ്പിക്കുന്നതിന് ഒ. എസ്. 29/79 (ബ്ലോക്കു II) എന്ന നമ്പർ ലാന്റ് പ്ലാൻ അനുസരിച്ച് ആവശ്യമുണ്ടെന്ന് സംസ്ഥാന സർക്കാരിനു തോന്നുകയും ചെയ്യുന്നു.

മേൽപ്പറഞ്ഞ ആവശ്യത്തിനുവേണ്ടിയുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
P. SANKARAN NAIR,
*Additional Secretary.*

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# KERALA GAZETTE

## EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Wednesday, 8th July 1981 / 17th Ashadha 1903 (Saka) [No. 543

### GOVERNMENT OF KERALA

**Transport, Fisheries and Ports (Transport B) Department**

NOTIFICATION

No. 15136/TB2/81/TF&P. *Dated, Trivandrum, 30th June* 1981.

**S.R.O. No. 816/81.**—Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution of India the President has in notification No. 2/4/63/Judicial II dated 31-5-1963 entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962), in relation to the acquisition of lands for the purpose of the Union in the Kerala State;

And whereas, it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose to wit for the formation of OS. 27/79 in connection with the doubling of rail track between Olavakkot and Shoranur Railway Stations;

Now, therefore, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of subsection (1) of section 3 of the said Act.

Under subsection (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case the provisions of section 5 of the said Act shall not apply to this case.

33/2427/B.

SCHEDULE

District—Palghat. Taluk—Ottapalam.

Village—Ottapalam I and Vaniamkulam II. Desom—Kanniampuram, Ariyur-Thekkumuri and Trikkangode.

(The extent given is approximate)

| *Sl. No.* | *Survey No. Old* | *Sub Dvn. No. New* | *Classification* | *Extent in Hectare* |
|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) |
| | | Desom—Kanniampuram. | | |
| 1 | 73A/1A | 73/A6 | D.C.W. | 0.0202 |
| 2 | 73A/1B | 73/A7 | ,, | 0.0567 |
| 3 | 73A/1C | 73/A8 | ,, | 0.0486 |
| 4 | 73A/2 | 73/A9 | ,, | 0 0486 |
| 5 | 73A/3 | 73A/10 | ,, | 0.0364 |
| 6 | 73A/5 | 73A/11 | S.C.W. | 0.0040 |
| 7 | 73B/1 | 73B/1 | O.D. | 0 0081 |
| 8 | 73B/2 | 73B/2 | D C.W. | 0.0324 |
| 9 | 73B/3 | 73B/3 | ,, | 0.0324 |
| 10 | 73B/4 | 73B/4 | ,, | 0.0486 |
| 11 | 37A/1 | 37A/8 | ,, | 0.0445 |
| 12 | 37A/2A | 37A/9 | ,, | 0.0283 |
| 13 | 37A/2B | 37A/10 | ,, | 0 0162 |
| 14 | 37A/2C | 37A/11 | ,, | 0.0526 |
| 15 | 37A/5 | 37A/12 | ,, | 0.0243 |
| 16 | 37A/6 | 37A/13 | ,, | 0.0081 |
| 17 | 37B/1 | 37B/1 | ,, | 0.0405 |
| 18 | 37B/2 | 37B/2 | ,, | 0.0486 |
| 19 | 37B/3 | 37B/3 | ,, | 0.0162 |
| | | Desom—Ariyurthekkumuri. | | |
| 20 | 124 | 124/2 | D.C.W. | 00.121 |
| | | Desom—Trikkangode. | | |
| 21 | 53A/1 | 53A/6 | S/C.W. | 0.0324 |
| 22 | 53A/3 | 53/A7 | ,, | 0.0405 |
| 23 | 53A/3 | 53A/8 | ,, | 0.0040 |
| 24 | 53A/4 | 53A/9 | ,, | 0.0040 |
| 25 | 53B/1 | 53B/1 | ,, | 0.1335 |
| 26 | 53B/2 | 53B/2 | ,, | 0.0243 |
| 27 | 56A/1 | 56A/5 | ,, | 0.0282 |
| 28 | 56A/2 | 56A/6 | ,, | 0.0122 |

| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 29 | 56A/3 | 56A/7 | U.A. Tank | 0.0121 |
| 30 | 56A/4A | 56A/8 | D.C.W. | 0.0648 |
| 31 | 56A/4B | 56A/9 | ,, | 0.0364 |
| 32 | 56B/1 | 56B/1 | S.C.W. | 0.0324 |
| 33 | 56B/2 | 56B/2 | ,, | 0.0486 |
| | | | Total | 1.1008 |

**Explanatory Note**

(This is not part of the Notification but is intended to bring out the general purport.)

The President of India has in Notification No. 2/4/63/Judl. II, dated 31-5-1963 entrusted the Government of Kerala with their consent the powers to acquire land for the use of the Central Government in the State, and it appears to the State Government that the lands mentioned in the Schedule above is needed for a public purpose viz. for the doubling of rail track between Olavakkot and Shoranur Railway Stations.

This notification is intended for the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 816/81.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം 1-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് പ്രസിഡന്റ് 31-5-1963-ലെ 2/4/1963 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനപ്രകാരം കേരള സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട്, (1962-ലെ 21) അനുസരിച്ചുള്ള കേന്ദ്രസർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായതു ഒലവക്കോടു റെയിൽവേസ്റ്റേഷനും ഷൊർണ്ണൂർറെയിൽവേസ്റ്റേഷനും ഇടയിലുള്ള റെയിൽപാത ഇരട്ടിപ്പിക്കുന്ന ആവശ്യത്തിലേയ്ക്കു ഒ. എസ്. 27/79 രൂപീകരിക്കുന്നതിനു ആവശ്യമുണ്ടെന്നോ, ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള സർക്കാരിനു തോന്നുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ പ്രസ്തുത ആക്ട് 3-ാം വകുപ്പു (1)-ാം ഉപവകുപ്പിലെ നിബന്ധനകളനുസരിച്ചുള്ള നോട്ടീസ് അതുമായി ബന്ധപ്പെട്ട എല്ലാവർക്കും ഇതിനാൽ നല്കുന്നു ;

സംഗതിയുടെ അടിയന്തിര സ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്ട് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ഈ സംഗതിയിൽ ബാധകമാകുന്നതല്ല എന്ന് പ്രസ്തുത ആക്റ്റിലെ 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം സർക്കാർ നിർദ്ദേശിച്ചിരിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

ജില്ല—പാലക്കാട്. താലൂക്ക്—ഒററപ്പാലം.

വില്ലേജ്—ഒററപ്പാലം I, വാണിയംകുളം II

ദേശം—കണ്ണിയാപുറവും, അരിയൂർ തെക്കുംമുറിയും, തൃക്കങ്ങോടും.

(സുമാർ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്)

| ക്രമ നമ്പർ | സർവ്വേ നമ്പറും പഴയത് | സബ് ഡിവിഷൻ നമ്പറും പുതിയത് | ഇനം | വിസ്തീർണ്ണം ഹെക്ടറിൽ |
|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) |
| | | ദേശം—കണ്ണിയാംപുറം. | | |
| 1 | 73എ/1എ | 73/എ6 | ഡി. സി. ഡബ്ല്യൂ | 0.0202 |
| 2 | 73എ/1ബി | 73/എ7 | ,, | 0.0567 |
| 3 | 73എ/2സി | 73/എ8 | ,, | 0.0486 |
| 4 | 73എ/2 | 73/എ9 | ,, | 0.0486 |
| 5 | 73എ/3 | 73എ/10 | ,, | 0.0364 |
| 6 | 73എ/5 | 73എ/11 | എസ്സ്.സി. ഡബ്ല്യൂ | 0.0040 |
| 7 | 73ബി/1 | 73/ബി1 | ഒ. ഡി. | 0.0081 |
| 8 | 73ബി/2 | 73ബി/2 | ഡി. സി. ഡബ്ല്യൂ | 0.0324 |
| 9 | 73ബി/3 | 73ബി/3 | ,, | 0.0324 |
| 10 | 73ബി/4 | 73/ബി4 | ,, | 0.0486 |
| 11 | 37എ/1 | 37എ/8 | ,, | 0.0445 |
| 12 | 37എ/2എ | 37എ/9 | ,, | 0.0283 |
| 13 | 37എ/2ബി | 37എ/10 | ,, | 0.0162 |
| 14 | 37എ/2സി | 37എ/11 | ,, | 0.0526 |
| 15 | 37എ/5 | 37എ/12 | ,, | 0.0243 |
| 16 | 37എ/6 | 37എ/13 | ,, | 0.0081 |
| 17 | 37ബി/1 | 37ബി/1 | ,, | 0.0405 |
| 18 | 37ബി/2 | 37ബി/2 | ,, | 0.0486 |
| 19 | 37ബി/3 | 37ബി/3 | ,, | 0.0162 |
| | | ദേശം—അയിരൂർ തെക്കുംമുറി. | | |
| 20 | 124 | 124/2 | ഡി.സി.ഡബ്ല്യൂ. | 0.0121 |
| | | ദേശം—തൃക്കങ്ങോട്. | | |
| 21 | 53എ/1 | 53എ/6 | എസ്സ്, സി, ഡബ്ല്യൂ. | 0 0324 |
| 22 | 53എ/3 | 53എ/7 | ,, | 0.0405 |
| 23 | 53എ/3 | 53എ/8 | ,, | 0.0040 |
| 24 | 53എ/4 | 53എ/9 | ,, | 0.0040 |
| 25 | 53ബി/1 | 53ബി/1 | ,, | 0.1335 |
| 26 | 53ബി/2 | 53ബി/2 | ,, | 0.0243 |
| 27 | 56എ/1 | 56എ/5 | ,, | 0.0282 |
| 28 | 56എ/2 | 56എ/6 | ,, | 0.0122 |
| 29 | 56എ/3 | 56എ/7 | യൂ. എ. ടാങ്ക്. | 0.0121 |

| (1) | (2) | (3) | (4) | (5) |
|---|---|---|---|---|
| 30 | 56എ/4എ | 56എ/8 | ഡി. സി. ഡബ്ല്യു. | 0.0648 |
| 31 | 56എ/4ബി | 56എ/9 | ,, | 0.0364 |
| 32 | 56ബി/1 | 56ബി/1 | എസ്. സി. ഡബ്ല്യു. | 0.0324 |
| 33 | 56ബി/2 | 56ബി/2 | ,, | 0.0486 |
| | | | Total | 1.1008 |

<u>വിശദീകരണക്കുറിപ്പ്</u>

(ഇതു് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിന് ഉദ്ദേശിച്ചുള്ളതാണ്.)

ഇൻഡ്യൻ രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനം മൂലം ഈ സംസ്ഥാനത്ത് കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുകയും മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതുകാര്യത്തിന്, അതായത് ഒലവക്കോട് സ്റ്റേഷനും, ഷൊർണ്ണൂർ സ്റ്റേഷനും ഇടയ്ക്കുള്ള റെയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിനു ആവശ്യമാണെന്ന് സംസ്ഥാന സർക്കാരിന് തോന്നുകയും ചെയ്യുന്നു.

മേൽപ്പറഞ്ഞ ഉദ്ദേശം നിറവേറ്റുന്നതിനുദ്ദേശിച്ചുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
P. Sankaran Nair,
*Additional Secretary.*

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